

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

HAWAII EMPLOYERS' MUTUAL)	Civ. No. 06-00668 JMS-BMK
INSURANCE COMPANY, INC.)	
)	
Plaintiff,)	ORDER ENTERING DEFAULT IN
)	FAVOR OF PLAINTIFF, AND
vs.)	FINDING AND
)	RECOMMENDATION THAT
GLOBAL HORIZONS, INC.,)	DEFENDANT'S COUNTERCLAIMS
)	BE DISMISSED
Defendants.)	
_____)	

ORDER ENTERING DEFAULT IN FAVOR OF PLAINTIFF, AND
FINDING AND RECOMMENDATION THAT DEFENDANT'S
COUNTERCLAIMS BE DISMISSED

Plaintiff Hawaii Employers' Mutual Insurance Company, Inc.

("HEMIC") filed the instant action against Defendant Global Horizons, Inc.

("Global Horizons") on December 19, 2006. On January 31, 2007, Global Horizons filed an answer, alleging certain counterclaims against HEMIC. On November 14, 2007, the Court granted a motion allowing Global Horizons' attorney to withdraw from the case.

No other attorney has since appeared on behalf of Global Horizons.

In addition, Global Horizons failed to file a final pretrial statement by December 27, 2007, and failed to appear at the final pretrial conference on January 3, 2008,

both of which were required by the Rule 16 Scheduling Order filed on March 20, 2007.

On January 4, 2008, the Court ordered Global Horizons to appear on January 18, 2008, and show cause why Global Horizons' counterclaims should not be dismissed and default should not be entered against it in favor of HEMIC.

Global Horizons failed to appear at this hearing, although a representative from the company did contact the Court and advise the Court that Global Horizons was unable to afford local counsel, and consequently, would not be able to appear at the hearing.

Accordingly, for failure to be represented by counsel, for failure to comply with the Rule 16 Scheduling Order, and for failure to appear as ordered on January 18, 2008, the Court hereby ORDERS that default be entered against Global Horizons in favor of HEMIC, and RECOMMENDS that Global Horizons' counterclaims against HEMIC be DISMISSED. HEMIC is instructed to file a motion for default judgment forthwith.

IT IS SO ORDERED, FOUND, AND RECOMMENDED.



/s/ Barry M. Kurren
United States Magistrate Judge
Dated: January 22, 2008

Hawaii Employers Mutual Insurance Company, Inc. v. Global Horizons, Inc.; Civ. No. 06-00668
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